



Galiano Island Local Trust Committee Regular Meeting Agenda

Date: November 14, 2023
Time: 1:00 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Pages

- | | | | |
|-------|---|-------------------|-------|
| 1. | CALL TO ORDER | 1:00 PM - 1:20 PM | |
| 2. | APPROVAL OF AGENDA | | |
| 3. | TRUSTEE REPORT | | |
| 4. | CHAIR'S REPORT | | |
| 5. | ELECTORAL AREA DIRECTOR'S REPORT | | |
| 6. | FIRST NATION REPORT | | |
| 7. | TOWN HALL AND QUESTIONS | 1:20 PM - 1:50 PM | |
| 8. | COMMUNITY INFORMATION MEETING | 1:50 PM - 2:20 PM | |
| 8.1 | GL-RZ-2022.2 (Hayes) - Proposed Bylaws 287 and 288 | | |
| 9. | PUBLIC HEARING | 2:20 PM - 3:00 PM | |
| 9.1 | GL-RZ-2022.2 (Hayes) - Proposed Bylaws 287 and 288 | | |
| 9.1.1 | <u>Recess for Public Hearing</u> | | |
| 9.1.2 | <u>Recall to order</u> | | |
| 10. | MINUTES | 3:00 PM - 3:10 PM | |
| 10.1 | Local Trust Committee Minutes Dated October 10, 2023 (for Adoption) | | 4 - 9 |
| 10.2 | Section 26 Resolutions Without Meeting Report - None | | |
| 10.3 | Advisory Planning Commission Minutes - None | | |
| 11. | BUSINESS ARISING FROM MINUTES | | |

11.1	Follow-up Action List Dated Nov 2023	10 - 12
12.	DELEGATIONS	
13.	CORRESPONDENCE	3:10 PM - 3:20 PM
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
13.1	Cedar Moss Properties Limited re Safety on Sturdies Bay Road	13 - 14
14.	MEETING BREAK - COMMUNITY UPDATE	
15.	APPLICATIONS AND REFERRALS	3:20 PM - 3:50 PM
15.1	GL-RZ-2022.2 (Hayes) - Proposed Bylaws 287 and 288 - Post Public Hearing Staff Report (Attached)	15 - 21
16.	LOCAL TRUST COMMITTEE PROJECTS	
17.	REPORTS	3:50 PM - 4:00 PM
17.1	Work Program Reports (attached)	
17.1.1	<u>Active Projects Report Dated Nov 2023</u>	22 - 22
17.1.2	<u>Future Projects Report Dated Nov 2023</u>	23 - 24
17.2	Applications Report Dated Nov 2023 (attached)	25 - 31
17.3	Trustee and Local Expense Report - None	
17.4	Adopted Policies and Standing Resolutions (attached)	32 - 36
17.5	Local Trust Committee Webpage	
17.6	Islands Trust Conservancy Report - None	
18.	NEW BUSINESS	
19.	UPCOMING MEETINGS	4:00 PM - 4:10 PM
19.1	Next Regular Meeting Scheduled for December 12, 2023 at the South Community Hall, Galiano Island	
19.2	Draft 2024 LTC Meeting Schedule (attached) (for approval)	37 - 37
20.	TOWN HALL	4:10 PM - 4:30 PM
21.	CLOSED MEETING (Distributed Under Separate Cover)	

21.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(a) for the purpose of considering:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

AND that the recorder and staff attend the meeting.

21.2 Recall to Order

21.3 Rise and Report

22. ADJOURNMENT

4:30 PM - 4:30 PM

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: October 10, 2023
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Timothy Peterson, Chair
Ben Mabblerley, Local Trustee
Lisa Gauvreau, Local Trustee

Staff Present: Kim Stockdill, Island Planner
Charly Caproff, Planner 1, by Zoom
Bruce Belcher, Planner 1, by Zoom
Carly Bilney, Recorder, by Zoom

Others Present: Approximately twenty-four (24) members of the public were present.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 1:00 p.m. He acknowledged that the meeting was being held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add First Nations Report as a standing item (Item 6).

By general consent, the agenda was adopted as amended.

GL-2023-54

It was Moved and Seconded,

That Galiano Island Local Trust Committee request staff to add to all future agendas a standing item: First Nations Report.

CARRIED

3. TRUSTEE REPORT

Trustee Gauvreau made the following comments in her report:

- While attending the in-person Trust Council meeting on Pender Island, Trustee Gauvreau used the Car Stops Program; she expressed interest in assessing the Car Stops Program for use on Galiano

- A long-term vision statement was not agreed upon at Trust Council and input from the Galiano Island community is encouraged
- Trustee Gauvreau attended a recently held Islands Trust Conservancy meeting

Trustee Mabblerley made the following comments in his report:

- Trustee Mabblerley attended the Trust Council meeting and noted a lot more work is to be done regarding the vision statement and engagement with First Nations
- It is good to look at ways to move ahead with common ground
- Trustee Mabblerley recently took representatives from the Department of Fisheries and Oceans for a tour of the Southern Gulf Islands to view liveaboards
- In Ganges Harbour, there are about 175-200 liveaboards, and about 300 throughout the entire Gulf Islands (about ten in Montague Harbour, which is an increase over the previous two years) – this is due to an increasing lack of affordability

4. CHAIR'S REPORT

Chair Peterson made the following comments in his report:

- It was right to pause at Trust Council to allow for careful consideration of the vision statement, which is supposed to describe where the organization is going to go in the long-term
- Chair Peterson attended the Union of British Columbia Municipalities meeting in September in Vancouver where the Islands Trust was well received; the Minister of Transport expressed openness to establishing regular communication between the Ministry and the Islands Trust

5. ELECTORAL AREA DIRECTOR'S REPORT – none

6. FIRST NATIONS REPORT

- Appreciation was expressed by Ken Thomas, Penelakut Tribe Council Member for the communication and offerings from islanders – the communication now being established is a big step forward for the Nation
- The upcoming Penelakut Tribe Council meeting will include a motion related to updating the First Nation's legal team and a meeting with the LTC
- Appreciation was expressed for those wearing orange shirts

7. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- While it is not on the current agenda, Development Permit Areas (DPA) and the groundwater project are still on staff's radar and a verbal update can be provided at a future meeting or in-person

- Concern was expressed that the rezoning of District Lot 14 (DL14) and changes to the easement to allow for emergency access will result in increased problems with trespassing such as camping, parked cars and litter
- The object of the Islands Trust is a mandate provided by the Province, not the long-term vision statement that Trust Council was recently considering
- It would set a negative precedent to develop bylaws that refer to a specific person or group of persons rather than to the land
- Ensuring an adequate supply of potable water for everybody into the future is essential

8. COMMUNITY INFORMATION MEETING – None

9. PUBLIC HEARING – None

10. MINUTES

10.1 Local Trust Committee Minutes Dated September 12, 2023 (for Adoption)

By general consent the Galiano Island Local Trust Committee meeting minutes of September 12, 2023 were adopted.

10.2 Section 26 Resolutions Without Meeting Report - None

10.3 Advisory Planning Commission Notes Dated September 7, 2023 (for Receipt)

11. BUSINESS ARISING FROM MINUTES

11.1 Follow-up Action List Dated Oct 2023

Island Planner Stockdill provided updates on the Follow-up Action List and made the following comments:

- It is a staff priority to send early engagement letters out to First Nations
- A summary of the legal advice regarding the potential of land transfer should be included in the letters

12. DELEGATIONS – None

13. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

14. MEETING BREAK – COMMUNITY UPDATE – None

15. APPLICATIONS AND REFERRALS

15.1 GL-DVP-2023.2 (Koster) - Staff Report

Planner Caproff reviewed the Staff Report regarding GL-DVP-2023.2 (Koster). Discussion was held and the following comments were made:

- The applicant postponed the application to take the neighbour's concerns into consideration and make the application more amenable
- The building footprints would not increase

GL-2023-55

It was Moved and Seconded,

That Galiano Island Local Trust Committee approve issuance of draft Development Variance Permit application GL-DVP-2023.2 (Koster).

CARRIED

15.2 GL-DVP-2023.3 (McMillan) - Staff Report

Planner Belcher reviewed the Staff Report regarding GL-DVP-2023.3 (McMillan).

GL-2023-56

It was Moved and Seconded,

That Galiano Island Local Trust Committee approve issuance of Development Variance Permit application GL-DVP-2023.3 (McMillan).

CARRIED

A meeting break was held from 1:50 pm – 2:00 pm.

15.3 GL-RZ-2023.1 (Rockafella) - Staff Report

Island Planner Stockdill reviewed the Staff Report regarding GL-DVP-2023.1 (Rockafella) related to the rezoning of DL14. Discussion followed and the following comments were made:

- The Bylaw is in draft format
- The application would need to be sent to the fire department and the Parks and Recreation Commission for comment on the proposed emergency access
- It is not necessary for the applicant to provide land for affordable housing as other community benefits are being considered
- Support was expressed for allowing the application to proceed, including drafting the terms of the draft Bylaw, and sending referrals to First Nations, the Capital Regional District (CRD) and BC Hydro for comment

16. LOCAL TRUST COMMITTEE PROJECTS

17. REPORTS

17.1 Work Program Reports

16.1.1 Active Projects Report Dated Oct 2023

Received for information.

16.1.2 Future Projects Report Dated Oct 2023

Received for information.

Comments were made that some progress has been made on the issue of parking near the Spanish Hills Dock.

17.2 Applications Report Dated Oct 2023

Received for information.

17.3 Trustee and Local Expense Report Dated August 2023

Received for information.

17.4 Adopted Policies and Standing Resolutions

Received for information.

17.5 Local Trust Committee Webpage

17.6 Islands Trust Conservancy Report – None

18. NEW BUSINESS

18.1 DPA Exemption – Legal Opinion Summary

Island Planner Stockdill provided an overview on the summary of the legal opinion related to the DPA Exemption as included in the agenda. Discussion was held and the following comments were made:

- There is validity in keeping the exemption given the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the recognition of basic inherent rights
- Exemptions are generally based on land activities rather than land owners
- Support was expressed for hearing from all First Nations on the referral list, and gathering more information before going to Public Hearing
- After discussions are held with Penelakut Tribe, this project will come back to the LTC for consideration
- This exemption would recognize inherent rights prescribed by the Supreme Court
- The legal opinion concludes that the proposed exemption would likely be invalid, but adds potential rationale for it to be valid leaving the final determination to be a court case
- While the legal summary allows for either side, it is incumbent upon the LTC to do something to work towards Reconciliation
- There is need to consider what the Bylaw is supposed to be doing and what an exemption from that Bylaw might mean
- Support was expressed for sending the recommendation to First Nations for comment
- More data – related to, for example, water, land size and zoning – would help the LTC do its due diligence

18.2 Notice of Housing Agreement Bylaws – Staff Memo

Island Planner Stockdill summarized the Notice of Housing Agreement Bylaws that provides the LTC with an update on existing Housing Agreement Bylaws on Galiano.

19. UPCOMING MEETINGS

19.1 Next Regular Meeting Scheduled for November 14, 2023 at the South Community Hall, Galiano Island

20. TOWN HALL

Town hall was held and the following comments were made:

- Forwarding information related to the Islands Trust and LTC meetings to Penelakut Tribe should continue systematically beyond Trustee Mabberley's term
- The proposed Development Permit exemption could state an exemption applies only if the respective First Nation's Council agrees to the exemption
- Land use permits and related laws will not supersede the inherent rights of Indigenous Peoples that are enshrined in the laws of Canada – moving gently forward is the way to go
- The protection of water is not only for humans but for the natural environment
- The number of Short-term Vacation Rentals (STVR) is significant and affects water supplies all over the island
- Trustees are encouraged to restrict STVR in water sensitive areas
- Concern was expressed that misinformation related to recharge and DPA Bylaw areas is creating unnecessary polarization between people

21. CLOSED MEETING – None

22. ADJOURNMENT

By general consent the meeting was adjourned at 3:22 pm.

Tim Peterson, Chair

Certified Correct:

Carly Bilney, Recorder

Follow Up Action Report

Galiano Island

14-Mar-2023

Activity	Responsibility	Dates	Status
1 17.1 Staff to request APC to investigate siting and use options in relation to Galiano Island. (ON HOLD)	Kim Stockdill	Target: 07-Apr-2023	In Progress

06-May-2023

Activity	Responsibility	Dates	Status
1 5.1 GL-RZ-2014.1 (Crystal Mountain) - staff to initiate and conduct further consultation with the Penelakut Tribe	Brad Smith Jas Chonk	Target: 20-May-2023	In Progress

09-May-2023

Activity	Responsibility	Dates	Status
1 Groundwater Sustainability Project - Staff to further engage with Penelakut FN, Coast Salish Peoples of Galiano Society, and the Georgeson Family. (IN PROGRESS)	Kim Stockdill	Target: 28-Jul-2023	In Progress

11-Jul-2023

Activity	Responsibility	Dates	Status
1 14.1 Staff to proceed with GL-RZ-2021.2 (DL 86). Early engagement letter to be sent to FN and staff to provide further information on road access, beach access, site layout, etc. Include comments from legal opinion on land transfer.	Kim Stockdill	Target: 29-Sep-2023	In Progress

Follow Up Action Report

Galiano Island

11-Jul-2023

Activity	Responsibility	Dates	Status
2 14.2 Staff to proceed with GL-RZ-2023.2 (DL 85). Early engagement letter to be sent to FN and staff to provide further information on road access, beach access, land transfer (Resource lot?), etc. Include comments from legal opinion on land transfer.	Kim Stockdill	Target: 29-Sep-2023	In Progress
3 16.1 Staff to bring forward staff report for public participation options regarding the work program.	Kim Stockdill	Target: 01-Sep-2023	In Progress
4 Staff to set up meeting with Penelakut FN and the GL LTC to discuss DL 85 and 86, and other rezoning applications.	Kim Stockdill	Target: 22-Sep-2023	Completed

10-Oct-2023

Activity	Responsibility	Dates	Status
1 Add 'First Nation Report' on all future Galiano LTC agendas after 'EA Director's Report'.	Jas Chonk	Target: 20-Oct-2023	Completed
2 9.1 Galiano LTC minutes dated September 12, 2023 adopted as is.	Emily Bryant	Target: 20-Oct-2023	Completed
3 14.1 GL-DVP-2023.2 (Koster) - DVP approved as is. Permit to be issued and file closed.	Jas Chonk	Target: 27-Oct-2023	Completed
4 14.2 GL-DVP-2023.3 (McMillian) DVP approved as is. Permit to be issued and file closed.	Jas Chonk	Target: 27-Oct-2023	Completed

Follow Up Action Report

Galiano Island

10-Oct-2023

Activity	Responsibility	Dates	Status
5 14.3 GL-RZ-2023.1 (Rockafella) 1. Staff to refer DL 14 rezoning to CRD, BC Hydro, and First Nations. 2. Staff to send ToR to applicant.	Kim Stockdill	Target: 27-Oct-2023	Completed
6 16.1 Groundwater Sustainability Project - Staff to provide more data on land ownership and summary of FN referrals.	Kim Stockdill	Target: 24-Nov-2023	In Progress

From: Joey Schibild <[REDACTED]>
Sent: Monday, October 2, 2023 9:21 AM
To: Executive Admin <execadmin@islandstrust.bc.ca>; Ben Mabberley
<bmabberley@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>
Cc: Carole Bondaroff <[REDACTED]>
Subject: Public Safety Concern: Sturdies Bay Road/ Gardner Road

Dear Island Trust Administrator and Galiano Island Trustees,

Please find attached a letter from Carole Bondaroff, Vice President of Cedar Moss Properties Ltd. regarding

the urgent need for additional cement barriers at Sturdies Bay Road crossing over Murcheson Creek (near Gardner Road).

As noted in the letter this is a very slippery section of road during winter and a site with a history of traffic accidents.

Thank you for your attention to this matter.

Joey Schibild, Secretary
Cedar Moss Properties Ltd.



Cedar Moss Properties Limited
Registered Company Address:

[REDACTED]
[REDACTED]

Vice President: Carole Bondaroff

[REDACTED]
[REDACTED]
[REDACTED]

October 1, 2023

Island Trust Administrator
200 – 1627 Fort Street
Victoria, BC V8R 1H8
execadmin@islandtrust.bc.ca

Galiano Island Trustees

cc. Ben Mabberley, bmabberley@islandtrust.bc.ca
Lisa Gauvreau, lgauvreau@islandtrust.bc.ca

RE: SAFETY ON STURDIES BAY ROAD

Dear Island Trust Administrator and Galiano Trustees,

We are writing this letter with concerns regarding safety at the corner of Sturdies Bay Road at Murchison Cove.

Cedar Moss Properties Ltd. is pleased with the new culverts and road repairs that were done after the flooding. However, we are very concerned that sufficient cement barriers are not in place on both sides of Sturdies Bay Road. Until recently there was temporary red fencing in place on one side of the road and incomplete cement barriers on the other side. The red fencing has been removed and there is no barrier on the inside curve of the road. This intersection continues to be a high accident risk, especially on slippery or icy roads. This corner has historically been the site of several accidents.

We understand that although the Highways contractor has ordered more cement barriers, there may be some issues with BC Ferries and weight limitations regarding their delivery. We suggest, given the risk to public safety, that Islands Trust investigate this issue further with the Department of Highways to facilitate a timely solution.

Thank you in advance for your attention to this issue.

CAROLE BONDAROFF
Vice President, Cedar Moss Properties Ltd.

File No.: GL-RZ-2022.2 (Hayes)

DATE OF MEETING: November 14, 2023

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Victoria Office

SUBJECT: GL-RZ-2022.2 (Hayes) – Bylaw No. 287 and No. 288 – Post Public Hearing
490 Gardner Road - Parcel Identifier Number: 001-416-987

RECOMMENDATIONS

1. That the Galiano Island Local Trust Committee Bylaw No. 287, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022” be read a second time.
2. That the Galiano Island Local Trust Committee Bylaw No. 287, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022” be read a third time.
3. That the Galiano Island Local Trust Committee Bylaw No. 288, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022” be read a second time.
4. That the Galiano Island Local Trust Committee Bylaw No. 288, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022” be read a third time.
5. That the Galiano Island Local Trust Committee proposed Bylaw Nos. 287 and No. 288 be forwarded to the Secretary of the Islands Trust for Executive Committee for approval.
6. That the Galiano Island Local Trust Committee proposed Bylaw Nos. 287 be forwarded to the Minister of Municipal Affairs for approval.

REPORT SUMMARY

This staff report outlines the purpose of the proposed bylaws, provides details on the groundwater assessment, and provides options to the Galiano Island Local Trust Committee (LTC) on how to proceed with the rezoning application.

BACKGROUND

The property owner is seeking to rezone and re-designate a portion of the 13.4 hectare (33.2 acre) subject property from Rural Residential (RR) to Agriculture (AG) to enable the subdivision of the property to create one additional residential lot. The proposed bylaws would amend the Galiano Island Land Use Bylaw (LUB) No. 127, 1999 and the Galiano Island Official Community Plan (OCP) No. 108, 1995 by rezoning and re-designating a portion of the subject property from Rural Residential (RR) to Agriculture (AG) in order to facilitate the subdivision.

GROUNDWATER ASSESSMENT

The applicant provided a [Groundwater Assessment](#) prepared by Hy-Geo Consulting dated August 3, 2023. The consultant completed pumping tests on two wells located on the subject property to ensure compliance with the Galiano Island LUB subdivision water requirements. The assessment concludes that both wells (Well WID 69176 and 69177) met the minimum standards of 2275 L/day for potable water supply in the Galiano Island LUB and met or exceeded the *Guidelines for Canadian Drinking Water-Summary Table*. In addition, the report states “use of the wells for domestic residential purposes should have no measureable adverse effects on neighbouring water sources or cause sea water intrusion into the bedrock aquifer”.

The recommendations within the Groundwater Assessment would be implemented as conditions of the subdivision application.

PUBLIC HEARING

A public hearing is scheduled for November 14, 2023. A public hearing is a quasi-judicial process within and following which specific procedures must be followed. Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding of the bylaw to the Minister’s office for approval (OCP amendment bylaws only).
5. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner’s consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaws.

Rationale for Recommendation:

Based on the foregoing, the recommendations on page 1 are supported as:

- All statutory requirements have been completed for the rezoning including the required notification and holding of a public hearing consistent with the *Local Government Act*

- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption

ALTERNATIVES

1. Make amendments to the bylaws.

The LTC may amend the bylaws.

Resolution:

That Galiano Island Local Trust Committee proposed Bylaw No. 287, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022” be amended as follows:

That Galiano Island Local Trust Committee proposed Bylaw No. 288, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022” be amended as follows: _____

2. Deny the application

The LTC may deny the application.

Resolution:

That the Galiano Island Local Trust Committee deny application GL-RZ.2022.2 (Hayes).

3. Receive for information

The LTC may receive the report for information

NEXT STEPS

Upon direction from LTC, staff will send Bylaw No. 287 and No. 288 to the Islands Trust Executive Committee for approval.

Submitted By:	Kim Stockdill, Island Planner	October 31, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	October 31, 2023

ATTACHMENTS

1. Proposed Bylaw No. 287
2. Proposed Bylaw No. 288

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 287

A BYLAW TO AMEND GALIANO ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

The Galiano Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022”.

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	11 TH	DAY OF	APRIL	2023.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

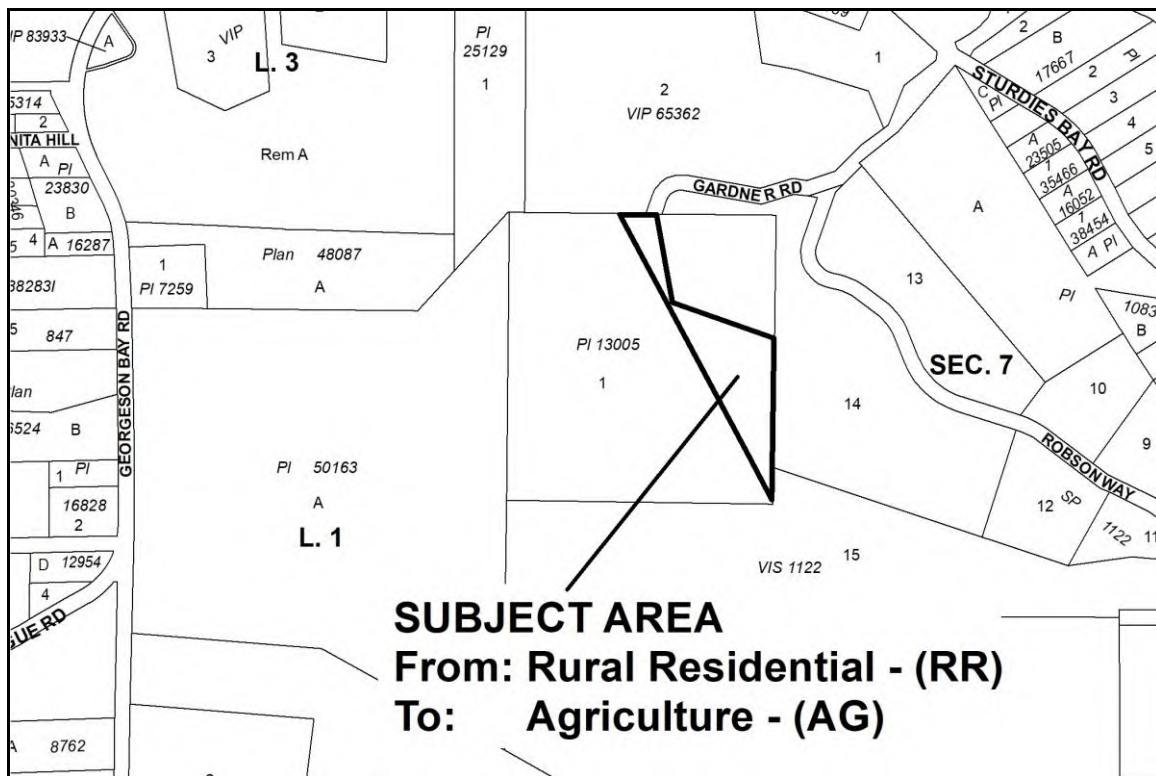
CHAIR

SECRETARY

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 287**

SCHEDULE 1

The Galiano Island Official Community Plan No. 108, 1995, is amended as follows:



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 288

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW, NO. 127, 1999

The Galiano Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Galiano Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999,” is amended as follows:

2.1 Schedule “1” – Zoning Map, is amended by changing the zoning classification of a portion of Lot 1, District Lots 1 and 3 and of Section 7, Galiano Island, Cowichan District, Plan 13005 except all of District Lots 1 and 3 now included in Plan 50163 from Rural Residential (RR) to Agriculture (AG), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 127 as are required to effect this change.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

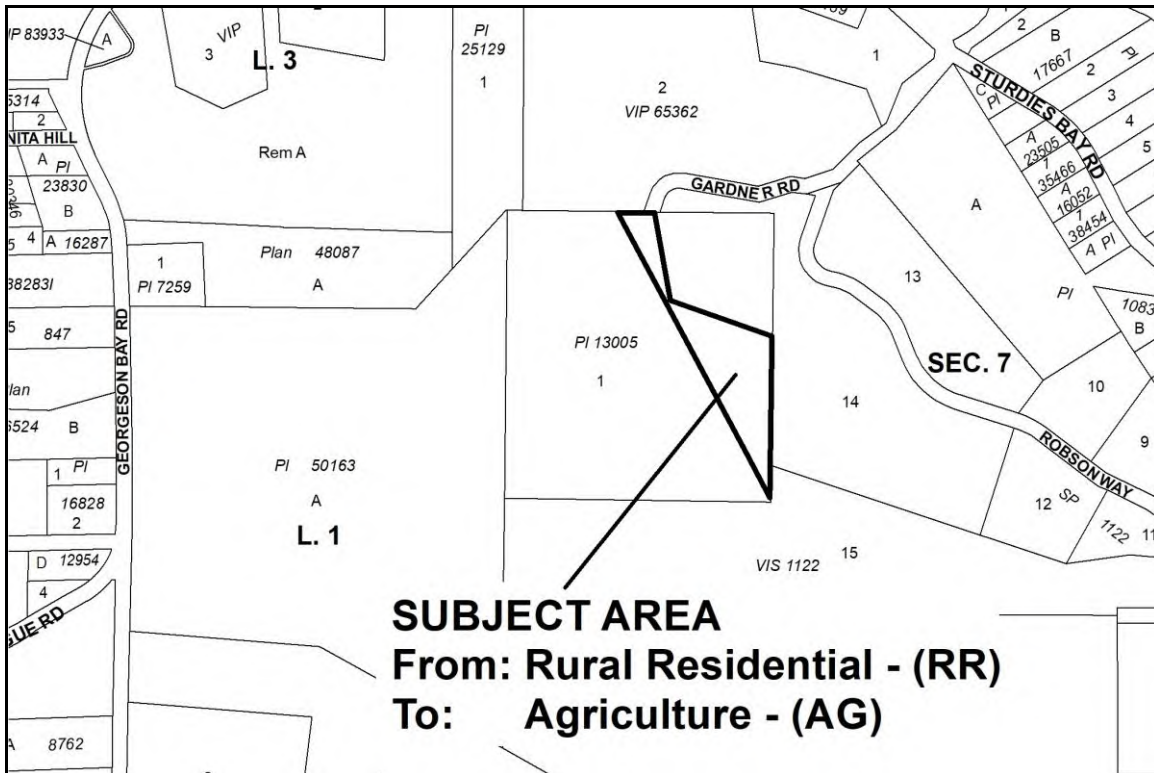
READ A FIRST TIME THIS	11 TH	DAY OF	APRIL	2023.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 288

Plan No. 1



Active Projects Report

Galiano Island

1. *Groundwater Sustainability*

Phase 1 and 2: mapping and data analysis - Completed
 Phase 3: Implementation of mapping and data analysis

Responsible

Kim Stockdill

Dates

Rec'd: 02-Apr-2019
 Target: 30-Sep-2023

Future Projects Report

Galiano Island

1. *Parking Issues*

Responsible

Date Received

Issue for discussion with MoTI and public parking issues generated from associated islands.

23-Jul-2012

(see correspondence from P. Midgely on agenda of Apr/12)

2. *Light Industrial Zoning*

Responsible

Date Received

A review and inventory assessment of existing and potential light industrial zones.

18-Nov-2013

3. *Coastal Douglas-Fir Protection*

Responsible

Date Received

Review 'Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)' and provide recommendations from toolkit.

04-Feb-2019

- LPC is intending to develop a model bylaw in 2021-22.

Include review the Contiguous Forest Mapping in the Islands Trust Area Report.

4. *Cannabis Retail and production*

Responsible

Date Received

Consider review of policies and regulations to address cannabis retail sales and production

05-Mar-2019

Future Projects Report

Galiano Island

5. *Emergency Access Planning*

Responsible

Date Received

Follow-up from CRD emergency planning process - include consideration of developing driveway guidelines for emergency access within land use bylaw

02-Apr-2019

6. *Review of Road Network Plan*

Responsible

Date Received

Review of Road Network Plan - include December 11th APC memo in review process - meet with MOTI

02-Mar-2020

7. *Review of LUB tiny home/trailer regulations, maximum house sizes and lot coverage*

Responsible

Date Received

01-Jun-2021

8. *Wise Island bylaw review*

Responsible

Date Received

Review of Wise Island bylaws and potentially other islands with water access only

06-Sep-2022

9. *Shoreline model protection bylaw*

Responsible

Date Received

Review APC report in consideration of development of shoreline model protection bylaw

06-Sep-2022

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
GL-ALR-2023.1	Cupples, Linda	16-Feb-2023	771 GEORGESON BAY RD: Application for subdivision in the Agricultural Land Reserve.

Planner: Charly Caproff

Planning Status

Status Date: 12-Jul-2023

Sent trustee comments to ALC. Last update: The application will now be processed and reviewed by the Commission at its earliest opportunity.

Status Date: 26-Jun-2023

GL-2023-37\nIt was Moved and Seconded,\nthat the Galiano Island Local Trust Committee supports application GL-ALR-2023.1 on condition of an animal corridor on the proposed lot line and requests staff to forward the application to the Agricultural Land Commission for further consideration.\n

Status Date: 26-Jun-2023

Resolution sent to ALC.

File Number	Applicant Name	Date Received	Purpose
GL-ALR-2023.2	Mabberley, Samuel	19-Oct-2023	Application to include land that has been used for farming in the the Agricultural Land Reserve.

Planner: Kim Stockdill

Planning Status

Status Date:

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2022.3	Galiano Island Contracting LTD	11-Aug-2022	675 Cain Rd - Improvement to an existing revetment structure, x-ref GL-DVP-2022.6

Planner: Kim Stockdill

Planning Status

Status Date: 31-Jan-2023

Further information required from applicant before application can proceed.

Status Date: 19-Dec-2022

File re-assigned to Kim Stockdill

Status Date: 10-Nov-2022

Updated Survey (Glen Mitchell) by end of November

File Number	Applicant Name	Date Received	Purpose
GL-DP-2023.6	1302222 BC LTD	14-Sep-2023	Application for a DP for development in a sensitive ecosystem DPA

Planner: Bruce Belcher

Planning Status

Status Date:

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2022.6	Galiano Island Contracting LTD Planner: Kim Stockdill	03-Oct-2022	675 Cain Rd - Application for a variance for siting of a seawall in a setback.
Planning Status			
Status Date: 21-Apr-2023 Met with Ryzuk and RPBio. Application may require a rezoning application. Application on hold.			
Status Date: 31-Jan-2023 Further information required by applicant before application can proceed.			
Status Date: 19-Dec-2022 File re-assigned to Kim Stockdill			

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2014.1	Crystal Mountain Society Planner: Brad Smith	28-Oct-2014	20300 PORLIER PASS RD: Application for rezoning to amend the OCP and LUB to allow for a Forest Retreat Centre - Bylaws 256 (OCP) and 257 (LUB)
Planning Status			
Status Date: 06-May-2023 Staff to engage with Penelakut			
Status Date: 04-Apr-2023 Public hearing scheduled for May 6, 2023			
Status Date: 31-Jan-2023 Staff report on Feb 7, 2023 agenda recommending the application go to public hearing			

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2020.1	KING, FRED & DEBBIE	27-Oct-2020	51 Galiano Way - Application for rezoning to amend the OCP to permit residential use - Bylaw 279 (LUB)

Planner: Kim Stockdill

Planning Status

Status Date: 27-Jun-2023

Applicant working on sustainable forestry covenant.

Status Date: 12-Jan-2023

Planner contacted applicant re status of TOR deliverables: well drilled, conducting pump testing, geotech assessment complete, no progress on covenant

Status Date: 28-Oct-2021

Applicant working on DAI TOR items

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2021.2	,	16-Aug-2021	DL 86 - COOK RD - application for rezoning to emend the OCP and LUB to permit a rezoning from F1 to create an F3 zoned parcel, two 2.0 hectare Rural Residential-zoned parcels, and 12+ ha of parkland and road dedication.

Planner: Kim Stockdill

Planning Status

Status Date: 04-Jul-2023

Application on July 11, 2023 meeting with new options.

Status Date: 25-Apr-2023

Applicants working on updated site plan and proposal, as well as info on land dedication.

Status Date: 28-Oct-2022

Application status changed to 'abeyance' pending new proposal from applicants

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2022.2	Hayes, Judy	02-Aug-2022	Bylaw Amendment & Rezoning - Bylaws 287 (OCP) and 288 (LUB)

Planner: Kim Stockdill

Planning Status

Status Date: 03-Oct-2023

Pump test received. Public Hearing to be scheduled for Nov 14 2023.

Status Date: 27-Jun-2023

Pump test to be completed mid-July 2023.

Status Date: 12-May-2023

Contact applicant. Applicant is still waiting for pump test to be completed.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2023.1	Rockafella, Tahirih	28-Mar-2023	HAULBACK RD: Application for rezoning to amend the LUB to permit limited light industrial uses. Bylaw 291

Planner: Kim Stockdill

Planning Status

Status Date: 19-Oct-2023

Terms of Reference sent to applicant.

Status Date: 20-Jun-2023

Direction to staff to draft bylaws and to report back on rezoning conditions.

Status Date: 11-Apr-2023

Planner Kim Stockdill assigned.

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2023.2	McElhanney Ltd.	26-Apr-2023	DL 85 - 5500 BODEGA BEACH DR: Application for rezoning to amend the OCP and LUB to permit Forest One (F1) zoning of the property.

Planner: Kim Stockdill

Planning Status

Status Date: 04-Oct-2023

The previous agent no longer works for McElhanney. From now on, please contact applicants using these email addresses: mturner@shaw.ca; bradandolga@telus.net; sue_whittlesey@hotmail.com; flemming-lynn@hotmail.com - WAITING ON UPDATED EMAIL FOR MARION HOWE

Status Date: 13-Jun-2023

Preliminary staff report on July agenda.

Status Date: 26-Apr-2023

File created in EDM.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2020.1	Mitchell, Glen	19-Dec-2019	GIGHARS - Proposed two lot conventional subdivision referral of Lot 1 District Lots 30 and 31

Planner: Kim Stockdill

Planning Status

Status Date: 11-Jul-2023

PLR received from MOTI.

Status Date: 30-Jan-2023

Staff contacted by applicant to initiate DP application for DPA 1, 2, 5 with respect to subdivision

Status Date: 18-May-2021

Applicant has received preliminary conditions approval letter from MOTI - subdivision subject to successful rezoning

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2021.1	Lawrence Waterfall	09-Jul-2021	350 MARY ANN POINT RD - Referral of a subdivision application for 3 new lots

Planner: Charly Caproff

Planning Status

Status Date: 03-Oct-2023

Updated PLR received (dated June 15, 2023) from MOTI. Applicant is seeking a reduction in roadway width and speed. MOTI to review.

Status Date: 25-Aug-2023

Emailed applicant regarding outstanding SUB conditions.

Status Date: 28-Mar-2023

MOTI confirmed that they will be sending us an updated PLRS letter as conditions have been fulfilled. Asked applicant to confirm most recent site plan and when a DP application will be submitted to IT.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2023.1	Taylor, Jared	31-Mar-2023	172 BURRILL RD: Referral of a subdivision application for 1 new lot.

Planner: Bruce Belcher

Planning Status

Status Date: 12-Sep-2023

PLR Received

Status Date: 25-May-2023

Requires development permit for work within Riparian Area

Status Date: 24-May-2023

Referral Response sent to MoTI

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2023-015 (Standing) First Nations Reconciliation That the Galiano Island Local Trust Committee seek to engage in reconciliation with local First Nations, governments and island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, the United Nations Declaration on Rights of Indigenous Peoples, draft principles that guide the Province of British Columbia's relationship with Indigenous Peoples and Islands Trust First Nations engagement principles. The Galiano Island Local Trust Committee endeavour to: a. Annually write a letter to all First Nations knowledge holders introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as provide an update of current projects and advocacy activities; b. For various Local Trust Committee meetings, invite local First Nations and knowledge holders to attend meetings, as well as provide a traditional welcome to the Territory if they would like; c. Work with Local First Nations Governments and knowledge holders on cooperative initiatives, including but not limited to, language, place names, territorial acknowledgements and community education on Coast Salish and local First Nations cultural heritage and history; d. Work with Local First Nation Governments and knowledge holders on engagement principles for inclusive land use, marine use and climate change planning advocacy, protection and stewardship and knowledge and information sharing protocols; and e. Establish and maintain government to government dialogue with Local First Nations and knowledge holders now and into the future based on respect and recognition of Aboriginal Rights and Titles, Treaty Rights, and First Nations Traditional Territories within the Islands Trust Area.	Carried	14-Mar-2023
2020-042 (Standing) Use of Development Permits for Variances That the Galiano Island Local Trust Committee request that development permit applications where a variance is requested be processed as a combined application with both a development permit and a development variance permit.	Carried	08-Sep-2020

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2020-041 (Standing) Unlawful Land Uses and Planning Applications that the Galiano Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and that staff are directed to continue with enforcement until the use is ceased. b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease. c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee; bylaw enforcement actions, including the issuing of notices, will continue. d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.	Carried	06-Jul-2020
2020-013 (Standing) Advisory Planning Commission that the Galiano Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.	Carried	03-Feb-2020

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2019-014 (Standing) 13.1 Cannabis Retail - Staff Report that the Galiano Local Trust Committee adopt the following standing resolution with respect to the processing of non-medicinal cannabis retail license applications: - Proposed or amended licenses for non-medicinal cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms - o The location of the proposed establishment and the subject site - o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - o How public comments may be submitted to the local trust committee.	Carried	04-Mar-2019
2018-064 (Standing) 11.1 Telecommunication Strategy Project - Staff Report that the Galiano Island Local Trust Committee endorses the Telecommunication strategy Project Charter dated June 22, 2016	Carried	04-Jun-2018
2014-029 (Standing) Community Wells as a Community Benefit That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.	Carried	07-Apr-2014

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
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2014-000 (Standing)

Carried

03-Feb-2014

On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist:

1. There have been significant delays or longer than typical timelines in the enforcement process
2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement
3. Litigation has been recommended
4. Legal counsel has been involved (beyond providing a basic interpretation)
5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.)
6. There has been, or is an expectation of, joint enforcement with other jurisdictions
7. There is potential for impact on other related enforcement files.

2011-205 (Standing)

Carried

17-Oct-2011

Special Occasion Liquor Licenses

That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.

2010-115 (Standing)

Carried

18-Oct-2010

Publishing Notices beyond legal requirements

That the Galiano Island Local Trust Committee will advertise Public Hearing Notices in the Active Page Magazine in addition to the legally required advertising in the Driftwood Newspaper.



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2009-085 (Standing)	Carried	11-May-2009
Parks Commission Referral		
That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment		



Islands Trust

DRAFT

Galiano Island Local Trust Committee 2024 Regular Meetings

The Galiano Island Local Trust Committee will be meeting to consider land use applications, bylaws, correspondence, and various community planning topics.

~~The Galiano Island Local Trust Committee has adopted the following dates for its 2024 meeting schedule.~~
Meetings are subject to change. Please visit the Islands Trust website for up-to-date schedule information.

DATE		TIME	LOCATION
Tuesday	February 13	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road
Tuesday	April 9	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road
Tuesday	May 14	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road
Tuesday	June 4	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road
Tuesday	July 9	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road
Tuesday	September 10	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road
Tuesday	October 8	1:00 p.m.	Galiano North Community Hall 22790 Porlier Pass Rd
Tuesday	November 12	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road
Tuesday	December 10	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road

The proposed meeting agenda is generally available one week prior to the meeting and may be obtained at the Islands Trust office or on our website.

Please note that correspondence received from the public may become part of a meeting agenda that is published online.

VISIT OUR WEBSITE: <https://islandstrust.bc.ca/location/galiano/>
CONTACT US AT [250-405-5151](tel:250-405-5151) OR: southinfo@islandstrust.bc.ca